



3653

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 9, 2004

*Keith R. Haupt*  
\_\_\_\_\_  
Keith R. Haupt, Reg. No. 37,638

*January 9, 2004*  
\_\_\_\_\_  
Date

Serial No.: 10/680,364  
Filed: October 7, 2003  
Group Art Unit: 3653  
Applicant: Charles A. Miller  
Title: CARTON WITH DISPENSER  
Conf. No.: 4643

Cincinnati, Ohio 45202

Date: January 9, 2004

Mail Stop IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. Copies of the cited references are enclosed herewith.

An English language translation of the Abstract for reference A.M. (EP 0475147) is as follows:

The present invention relates to a packaging material blank (1) in the manner of a band wrapping for packaging a plurality of containers, for example, cans,

bottles (31) or the like. The packaging material blank (1) comprises a top part (2), side walls connected to the top part, and bottom parts (4, 4') which adjoin the side walls (3, 3') and can be connected in the folded state, an additional fastening of the containers being provided at the respective side region of the blank. To solve the object of developing the blank further in such a way that the latter can be produced and folded as simply as possible and allows a very compact packaging with increased safety against tearing, it is proposed according to the invention that bendable upper, lateral and lower side flaps (5-9 and 5'-9') are provided as the fastening, which flaps are connected at least partially to one another or one below the other after folding, that, furthermore, mutually adjacent side flaps (e.g. 5 and 7) are connected via a folding surface (12) which connects adjacent side flaps (e.g. 5 and 7) to one another in the folded state and is folded in. As a result, in the folded state of the blank (1) the side flaps fit tightly around the outside contour of the containers.

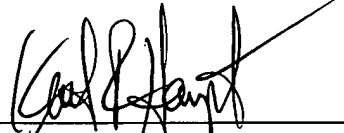
An English language translation of the Abstract for reference A.N. (EP 1038783) is as follows:

The box is formed from a semi-rigid material with a lid section (1) defined as part of one of the upper quarter of the box. The box is sealed by a perforated tear strip that is terminated at a circular cut out (19). Once the lid is opened, an opening is defined wherein the products can be assessed.

No admission is made that the cited references are prior art and/or material to patentability. The Examiner is urged to consider each of these references with respect to the subject matter claimed in the present application.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

BY   
Keith R. Haupt  
Reg. No. 37,638

2700 Carew Tower  
Cincinnati, OH 45202  
(513) 241-2324  
(513) 421-7269 (Facsimile)  
khaupt@whepatent.com (Email)  
K:\RWZ\78Uids.wpd

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. RWZ/78U		SERIAL NO. 10/680,364	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT Charles A. Miller			
				FILING DATE October 7, 2003		GROUP 3653	

OFFICE  
 JAN 13 2004  
 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS									
EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
	A.A								
	A.B								
	A.C								
	A.D								
	A.E								
	A.F								
	A.G								
	A.H								
	A.I								
	A.J								
	A.K								

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L	0323596	12/07/89	European			no
	A.M	0475147	03/18/92	European			yes (Abstract)
	A.N	1038783	09/27/00	European			yes (Abstract)
	A.O	8514718	08/08/85	Germany			no
	A.P						
	A.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)		
	A.R	
	A.S	
	A.T	

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.